

House Bill 138

By: Representatives Lunsford of the 110<sup>th</sup>, May of the 111<sup>th</sup>, Davis of the 109<sup>th</sup>, and Holt of the 112<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

To amend Chapter 20 of Title 50 of the Official Code of Georgia Annotated, relating to the state's relations with nonprofit contractors, so as to authorize the establishment of one or more legislative Nonprofit Contractor Oversight Panels; to provide for legislative intent; to provide for the membership, operation, and powers and duties of such panels; to provide for the power to require attendance and the provision of financial records by nonprofit contractors; to provide for the effect of noncompliance; to provide for cooperation and assistance by the state auditor and state agencies; to provide an effective date; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Chapter 20 of Title 50 of the Official Code of Georgia Annotated, relating to the state's relations with nonprofit contractors, is amended by adding at its end a new Code Section 50-20-9 to read as follows:

"50-20-9.

(a) It is the purpose of this Code section to further the general purposes of this chapter by providing legislative oversight of the state's relations with nonprofit contractors.

(b) The Senate and the House of Representatives by concurrent action may establish one or more joint Nonprofit Contractor Oversight Panels. If so established, each Nonprofit Contractor Oversight Panel shall consist of three members of the Senate and three members of the House, with a co-chair from each chamber. Any such concurrent action and appointment of panel members shall be undertaken on behalf of each chamber by the officer or committee which has the general authority to appoint committee members for that chamber.

(c) Members of the General Assembly serving on a panel shall receive expense reimbursement for such service in the same manner as for service on committees, if the

1 panel meets on a day for which the member does not already receive expense reimbursement.

2 (d) Unless otherwise provided in the rules of the Senate or the House of Representatives,  
3 service on a panel shall not constitute service on a committee for purposes of any limitation  
4 on the number of committees on which a member may serve.

5 (e) Each panel shall have the authority to:

6 (1) Require any nonprofit organization which receives or expends state funds to appear  
7 before the panel through one or more organization representatives;

8 (2) Require any nonprofit organization which receives or expends state funds to provide  
9 to the panel any financial records provided for in this chapter or any other financial  
10 records of the organization related to the organization's receipt or expenditure of state  
11 funds; and

12 (3) Make recommendations to the General Assembly, state agencies, and the state auditor  
13 with respect to the state's relations with any one or more nonprofit organizations.

14 (f) If any nonprofit organization which receives or expends state funds refuses or fails to  
15 comply with a panel's request for an appearance before the panel or production of financial  
16 records, the panel shall notify the state auditor and the state auditor shall notify the  
17 appropriate state organizations to cease all payments to the nonprofit organization.

18 (g) The state auditor and all state agencies shall cooperate with and provide assistance to  
19 panels in the performance of their duties under this Code section."

## 20 **SECTION 2.**

21 This Act shall become effective upon its approval by the Governor or upon its becoming law  
22 without such approval.

## 23 **SECTION 3.**

24 All laws and parts of laws in conflict with this Act are repealed.